

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MICHAEL EDWARD IRVING,
Petitioner,
v.
WARDEN-SWARTHOUT,
Respondent.

No. CV 11-4688-JFW (AGR)

ORDER ACCEPTING FINDINGS AND
RECOMMENDATION OF UNITED
STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, records on file, and the Report and Recommendation of the United States Magistrate Judge. Petitioner has not filed any Objections to the Report. The Court accepts the findings and recommendation of the Magistrate Judge.

IT IS ORDERED that Respondent's motion to dismiss is denied. The matter is referred to the Magistrate Judge for further proceedings.

DATED: 12/1/11


JOHN F. WALTER
UNITED STATES DISTRICT JUDGE